

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHARLES SHIELDS

v.

THOMAS MCGINELY and THE DISTRICT :  
ATTORNEY OF THE COUNTY OF :  
\_\_\_\_\_ and THE ATTORNEY GENERAL :  
OF THE STATE OF \_\_\_\_\_ :

CIVIL ACTION

NO. 17-5241

**ORDER**

**NOW**, this 10th day of January, 2018, upon consideration of the Petition for Writ of *Habeas Corpus* (Document No. 1), the response to the Petition, the Report and Recommendation filed by United States Magistrate Judge Timothy R. Rice (Document No. 6), and no objections to the Report and Recommendation having been filed, and after a thorough and independent review of the record, it is **ORDERED** that:

1. The Report and Recommendation of Magistrate Judge Timothy R. Rice is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of *Habeas Corpus* is **DISMISSED WITHOUT PREJUDICE**;
3. The Motion for Abeyance (Document No. 2) is **DENIED**; and
4. There is no probable cause to issue a certificate of appealability.

/s/TIMOTHY J. SAVAGE